

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ALVIN FAULKNER,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:19CV1096
	)	
UNITED STATES MARSHAL SERVICE,	)	
	)	
Respondent.	)	

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on November 1, 2019, was served on the parties in this action. Petitioner filed Objections to the Magistrate Judge's Recommendation within the time limits prescribed by 28 U.S.C. § 636. [Doc. #4.]

The Court has reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation [Doc. #2].

**IT IS THEREFORE ORDERED** that this action be dismissed sua sponte without prejudice to Petitioner filing a new petition in the proper district. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of

appealability is denied. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 5th day of August, 2020.

/s/ N. Carlton Tilley Jr.  
Senior United States District Judge